

**IN THE UNITED STATE DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

MASS ENGINEERED DESIGN, INC., )  
And JERRY MOSCOVITCH, )

CASE NO : 2-06CV-272 (LED)

Plaintiffs, Counter-defendants, )  
Cross –claimants, )

JURY TRIAL DEMANDED

v. )

ERGOTRON, DELL, CDW )  
CORPORATION, TECH DATA )  
CORPORATION, CSAV, INC., )  
BRETTFORD MANUFACTURING, INC. )

Defendants, Counterclaimants, )

CDW CORPORATION, )

Counterclaimant and )  
Third-Party Plaintiff, )

and )

A.B. DISTRIBUTING, INC. D&H )  
DISTRIBUTING COMPANY, EIZO )  
NANO TECHNOLOGIES INC., INGRAM )  
MICRO INC., INTERNATIONAL )  
AUDIO VISUAL INC., SYNEX )  
CORPORATION, TECH DATA )  
CORPORATION, CSAV, INC., )  
GLOBAL MARKETING PARTNERS, )  
INC., SEA LAND, INC., PEERLESS )  
INDUSTRIES, INC., DOUBLESIGHT )  
DISPLAYS, LLC AND BRETTFORD )  
MANUFACTURING, INC. )

Third-Party Defendants. )

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**ERGOTRON, TECH DATA AND CDW'S  
DESIGNATION OF DEPOSITION TESTIMONY**



Defendants Ergotron, Inc., Tech Data Corporation, and CDW Corporation (collectively “Defendants”) make the following disclosure of deposition designations in accordance with the Court’s September 17, 2008 Docket Control Order. Defendants reserve the right to supplement, amend or otherwise modify these designations based on circumstances as they may evolve prior to commencement of trial.

Defendants specifically exclude from these designations any objections made by counsel, and intend to designate only the questions and answers by the deponent. Defendants reserve the right to counter-designate additional testimony from these and other deponents in response to the deposition designations of Plaintiffs and depending upon the availability of witnesses for trial.



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Dated: September 29, 2008

Respectfully submitted,

**ERGOTRON, INC., CDW CORPORATION,  
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CORPORATION



**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R Civ P 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 29th day of September, 2008.

/s/ Kurt J. Niederluecke

Kurt J. Niederluecke

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